

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS**

DIVISION: MARSHALL

JUDGE: WILLIAM BRYSON

ALLERGAN, INC.

Plaintiff

TEVA PHARMACEUTICALS USA, INC., ET AL

Defendant

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DATE: 8/30/17

REPORTER: Shelly Holmes

CIVIL NO.: 2:15CV1455

C/R DEPUTY: Jill Veazey

Begin: 8:15, 1:04

Adjourn: 12:04, 5:40

Total Time in Court: **8 HRS 23 MINS**

Attorneys for Plaintiff: Jonathan Singer, Juanita Brooks, Claire Henry, Susan Morrison, Nitika Fiorella, Robert Oakes, A. Martina Hufnal

Attorneys for Claimant: J.C. Rosendall, Mike Joffre, Doug Carston, Stephen Smerek, Michael Dzwonczyk, Mark Bolland, Jason Hamilton, Matthew Mock

THIS DAY CAME THE PARTIES BY THEIR ATTORNEYS AND THE FOLLOWING PROCEEDINGS WERE HAD: **BENCH TRIAL – DAY 3**

8:15 Mr. Rozendaal addresses Court regarding exhibits. Court responds. Parties respond. Court rules on redacting of certain exhibits and
8:32 Mr. Carston addresses Court regarding witness. Ms. Morrison responds.
8:35 Mr. Carston calls Dr. Andrew Calman to testify. Witness sworn. Direct by Mr. Carston.
8:37 Deft Exhibit 1341 Marked & Admitted.
9:04 Deft Exhibit 1269 Marked & Admitted. 9:10 Deft Exhibit 1180 Marked & Admitted.
9:13 Deft Exhibit 1185 Marked & Admitted. 9:46 Deft Exhibit 1047 Marked & Admitted.
10:07 Court recessed.
10:21 Court resumed. Direct continued. Deft Exhibit 1153 Marked & Admitted.
10:25 Deft Exhibit 1006 D Marked & Admitted. 10:51 Deft Exhibit 1267 Marked & Admitted.
11:35 Court addresses parties.
11:38 Cross-Exam by Ms. Brooks.
12:04 Court recessed.

DAVID O'TOOLE, CLERK

/s/ Jill Veazey

Deputy Clerk

✓ See Addt'l. Proceedings

1:04 Cross-Exam continued. Pltf Exhibit 1017, 1019 Marked & Admitted.
2:11 Pltf Exhibits 2C, 2D Marked & Admitted.
2:19 Pltf Exhibit 16K Marked & Admitted.
2:22 Re-Direct by Mr. Carston. Witness excused but not released. Defense Rest.
2:23 Mr. Singer states Oral Motion for JMOL pertaining to 2 times a day dose claims.
Court grants motion.
2:26 Court recessed.
2:40 Court resumed. Court addresses parties. Plaintiff presents Responsive Case.
2:42 Ms. Hufnal calls Dr. Thorsteinn Loftsson to testify. Witness sworn. Direct by Ms. Hufnal.
3:16 Pltf Exhibit 1009 Marked & Admitted. 3:42 Pltf Exhibit 405 Marked & Admitted.
3:43 Cross-Exam by Mr. Rozendaal.
4:24 Court recessed.
4:37 Court resumed. Cross continued. Deft Exhibit 1512 Marked & Admitted.
4:42 Witness excused.
4:43 Mr. Singer calls David LeCause to testify. Witness sworn. Direct by Ms. Henry.
4:50 Pltf Exhibit 264, 265, 266, 267 Marked & Admitted.
5:12 Pltf Exhibit 333 Marked & Admitted.
5:16 Cross-Exam by Mr. Mock. 5:19 Deft Exhibit 1105 Marked & Admitted.
5:20 Deft Exhibit 1357, 1126 Marked & Admitted.
5:37 Re-Direct by Ms. Henry. 5:39 Witness excused. Court addresses parties.
5:40 Court adjourned.